No.



7900102

THE CONTRED SHAVES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Delta & Pine Hand Company

TUnereas, There has been presented to the

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF ACCURATE YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, APORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT 142, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

COTTON

'Deltapine 41'

In Lestimony Whereot, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington

at the City of Washington this 27th day of March

the year of our Lord one thousand nine

ndred and eighty.

Mark & XLL

Hant Variety Protection Office Grain Division

Agricultural Marketing Service

ctary of Agriculture

UNITED STATES DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE LIVESTOCK, POULTRY, GRAIN & SEED DIVISION APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE				FORM APPROVED OMB NO, 40-R3822 ant variety protection may	
APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE INSTRUCTIONS: See Reverse.			be issued unless a co has been received (5 l	mpleted application form J.S.C. 553).	
1a. TEMPO VARIET	RARY DESIGNATION OF	1b. VARIETY NAM	E	FOR OFFICIAL USE ONLY	
Delta	pine 7141-227-31	Deltapine 41		PV NUMBER 7900102	
2. KIND N	AME	3. GENUS AND SPE	CIES NAME	FILING DATE 8-17-79	TIME 2:00 A.M.
Cotto			Gossypium hirsutum		DATE
4. FAMILY	NAME (BOTANICAL)	5. DATE OF DETER	NOITANIME	\$ 500.00	8-17-79
Malv	aceae	October 197	74	\$ 250.00	12-27-79
6. NAME C	OF APPLICANT(S)	7. ADDRESS (Street Code)	t and No. or R.F.D. No.,	City, State, and ZIP	8, TELEPHONE AREA CODE AND NUMBER
Delta &	Pine Land Company	Scott, Miss	sissippi 38772	a.	(601) 742-3351
	NAMED APPLICANT IS NOT A PEIZATION: $(Corporation, partnersh$		10. IF INCORPORAT DATE OF INCOR	ED, GIVE STATE AND PORATION	11. DATE OF INCOR- PORATION
	oration		Delaware		Oct. 19, 1978
12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS: Early C. Ewing, Jr. Research Department Delta & Pine Land Company Scott, Mississippi 38772 13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:					
13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.) 13B. Exhibit B, Novelty Statement. 13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.) 13D. Exhibit D, Additional Description of the Variety.					
X 1	3D. Exhibit D, Additional Des	cription of the Varie	ty. IETY BE SOLD BY VAR	RIETY NAME ONLY AS	,
14a. DOES TE SEED? (3D. Exhibit D, Additional Des HE APPLICANT(S) SPECIFY THA' 'See Section 83(a). (If "Yes," answ HE APPLICANT(S) SPECIFY THA	cription of the Varie T SEED OF THIS VAR er 14B and 14C below.) T THIS VARIETY BE	IETY BE SOLD BY VAR	RIETY NAME ONLY AS NO B, HOW MANY GENER	A CLASS OF CERTIFIED
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FORM GR-470 (1-78)

INSTRUCTIONS

GENERAL: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM:

- Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties:

 (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.
- If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
 - See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

EXHIBIT A

DELTA & PINE LAND COMPANY'S APPLICATION FOR DELTAPINE 41

Origin and Breeding History

Deltapine 41 originated from a progeny selection program in a population arising from the 1971 cross of Deltapine 55 x Stoneville 603. Stoneville 603 is a commercial variety released by Stoneville Pedigreed Seed Company, Stoneville, Mississippi. Deltapine 55 is a commercial variety released by Delta & Pine Land Company, Scott, Mississippi.

Seed of the 7141 cross were sent to Iguala, Mexico for winter increase and the F₂ population was grown at Scott in 1972. Selections from the F₂ population were reselected in the F₃ and F₄ generations in 1973 and 1974, respectively. The final selections were made in October 1974. Four of these selections, 7141-227-31-41, 42, 43 and 44 were tested as replicated F₅ progeny rows in 1975 but did not differ significantly and were combined to form Deltapine 41. This variety was tested as Deltapine 7141 or Deltapine 7141-227-31.

Deltapine 41 was tested in replicated tests in 1976, 1977 and 1978. Deltapine 41 has been tested in comparison with Deltapine 55 for three years.

Deltapine 41 has been observed to be very uniform in all testing and reproduction stages. No genetic variants are known to exist in this strain.

EXHIBIT B

DELTA & PINE LAND COMPANY'S APPLICATION FOR DELTAPINE 41

Novelty Statement

Deltapine 41 most nearly resembles Deltapine 55. This variety is novel as indicated by the following data which are three year averages--1976, 1977 and 1978 (Table BI)--of tests by Delta and Pine Land Company.

	Deltapine 41	Deltapine 55	Difference
Lint yield, lbs/ac	876	854	22
Percent of check	103	100	+3
Lint percentage	37.7	36.9	+0.8
Strength T ₁	24,5	23.9	+0.6
Elongation El	6.5	6.6	-0.1
2.5% Span length, in.	1.11	1.11	None
Length Uniformity Index	43. 6	42.5	+1.1
Micronaire Index	4. 1	4.0	+0.1
Smoothness of leaf (index)	3	3	None
Verticillium Wilt %	14.,	12	+2
Leafiness	2.0	2.0	None
Plant Height	2.0	2.0	None
Strings Out	2.0	2.0	None
Data from Exhibit C (one test, one	e year)		
Cm. Height	110	111	_1
Cm. to 1st Fruiting Branch	2 5	26	 1
Node to 1st Fruiting Branch	. 6.6	6.6	None
Seed Index	9.0	9.2	2
Seed per boll	33	34	- 1
Diameter of boll. cm.	2.90	3.01	11
Days to 60% Open	132	132	Same

Deltapine 41 most closely resembles one of its parents, Deltapine 55. Its novelty as compared with Deltapine 55 is based on the following differences from Table BI.

Lint Percentage	+0.8
Micronaire Index	+0.1
Diameter of Boll	-0.11

The significance of these differences is supported by the results from a number of other stations (Exhibit D). There are slight differences in the way the data was obtained by different agencies as follows. Lint percentage and fiber data are often determined on the basis of hand picked boll samples taken from bolls opening early in the season. Boll size is measured as the number of bolls required to weigh a pound or as the weight in grams of a boll of seed cotton.

Summary tables are designated by the exhibit letter and Romal numerals; summary worksheets by letter, Roman numerals, and numbers; and tables of original data by letter, Roman numerals, numbers and lower case letters. For example BI4a.



United States Department of Agriculture

January 21, 1998

Research, Education, and Economics Agricultural Research Service

Marian R. Minnifield Secretary Plant Variety Protection Office NAL Building, Room 500 10301 Baltimore Boulevard Beltsville, Maryland 20705-2351

Subj: Expired PVPO's; disposition of

1. The following expired PVPO's have been transferred to the NPGS. Our records have been changed accordingly.

Serial Number		PVP Number	EXPIRED
107423	01	7900099	01/02/1997
107424	01	7800077	01/02/1997
107425	01	7900062	01/02/1997
107428	01	7900095	01/02/1997
107429	01	7700092	01/02/1997
108309	01	7900116	01/29/1997
108310	01	7900117	01/29/1997
108311	01	7900087	01/29/1997
108312	01	7800080	01/29/1997
108313	01	7800020	01/29/1997
109381	01	7900113	03/27/1997
109382	01	7900030	03/27/1997
109383	01	7900102	03/27/1997
109384	01	7900063	03/11/1997
109386	01	7300068	03/11/1997
109387	01	7900120	02/26/1997
109388	01	7700028	02/26/1997
109389	01	7700112	02/26/1997
109390	01	7900040	03/11/1997
109791	01	7800071	02/26/1997
110210	01	8000058	05/15/1997
110211	01	7800103	05/01/1997
110212	02	8000001	05/01/1997
110213	01	7800001	05/01/1997
			_



110214	02	7200105	04/24/0197
110215	01	8000022	04/24/1997
110216	01	7900060	05/01/1997
110217	01	7900084	05/01/1997
- 110218	01	8000071	05/15/1997
110219	01	7900101	05/01/1997
110220	01	8000043	05/15/1997
110221	01	8000015	05/15/1997
110222	01	7900111	05/15/1997
110223	01	7900110	05/15/1997
110227	01.	7900106	05/15/1997
110228	01	7900071	04/24/1997
110229	01	7900100	05/01/1997
110230	01	7900075	05/01/1997
110231	47.01-27	7900108	04/24/1997
110236	01	8000053	05/29/1997
110239	01	7900098	05/29/1997
110240	01	7900006	05/29/1997
110263	01	7900042	06/05/1997
110264	01	8000048	06/05/1997
110265	01	8000063	06/05/1997
110266	01	8000012	06/05/1997
110267	01	8000049	06/05/1997
110268	01	7800092	06/05/1997
112329	01	8000045	06/19/1997
112330	01	7900088	07/10/1997
112331	01	8000044	07/10/1997
112332	01	7800079	06/19/1997
112333	01	7900074	06/26/1997
112334	01	8000061	06/19/1997
112335	01	7700016	07/10/1997
112336	01	7700017	07/10/1997
112337	01	7900105	06/26/1997
112338	01	7900089	06/19/1997
112339	01	7900072	06/19/1997
112342	01	7900090	06/26/1997
112343	01	7900064	07/10/1997
112344	01	8000072	06/19/1997
112345	01	8000009	07/31/1997
112346	01	7800099	07/31/1997
112347	01	8000040	07/31/1997
112348	01	8000039	07/31/1997
112349	01	8000041	07/31/1997
112350	01	7900080	07/31/1997
112351	01	8000006	07/31/1997

I thought you might want a lope of this brief article that appeared in march from the Meinghis Communical Appeal.

Mill meredelle

Ruling Enforces Protection For Hybrid Seed Research

By LYNNETTE MCINTIRE
From The Commercial Appeal March
Greenville, Miss., Bureau March
1982-

GREENVILLE, Miss. — A federal district judge, in a ruling that could have wide importance in the field of agricultural seed development and marketing, has enforced patent-like protections to Delta and Pine Land Co.'s hybrid seed varieties.

The decision marks the first time a court has given its blessings to a 1971 law designed to grant to seed developers similar protections afforded those who develop consumer-oriented

Judge William C. Keady found Wednesday that Hollandale Seed and Delinting Co. and People's Gin Co. of Winterville illegally distributed a protected seed variety. Deltapine 41, which was developed by Delta and Pine Land Co. The firm held a certificate of Plant Variety Protection, which guarantees that no one else has the right to sell, export or reproduce the seed for 17

According to the suit, People's Gin Co., a farmers cooperative, acted as an agent to store the Deltapine 41 seed and distribute it to its members. The gin company and Hollandale Seed and Delinting Co., which processed the seed, contended they merely served their members and were protected under an exemption allowing farmers to sell or reuse the seed for their own use and to distribute it to other farmers.

Keady, however, ruled that the exemption applied only to direct farmer to farmer transactions on their own premises.

People's Gin Co., Keady found, ar-

People's Gin Co., Keady found, arranged sales and allowed further dis-

J. J. W. J. J. W. J.

tribution that was permitted by the exemption. Keady also ruled that People and Hollandale Seed also violated Mississippi labeling laws which require notification of protected seeds and require label information on the weigh of weed seeds, the percentage of inermatter, germination and other inforation.

**Delta and Pine Land Co. requester \$100,000 in damages. Wednesday's rul ing did not include damage awards. An other trial will be required to deter mine damages, court official said.

Seed breeders contend they need strict enforcement of the law to protect their investments in research and to assure the profitability of further development programs.

The court last April had issued a tem porary restraining order forbidding Hollanadale Seed and Delinting and the peoples gin from selling, shipping delivering or transferring the Delta pine 41 seed.

The executive vice-president of Hollandale Seed and Delinting Co., Jame Maxwell, said Thursday he had not examined the court decision and had no made a decision on whether to appear The attorney for Peoples Gin, Nathar Adams of Greenville, could not be contacted Thursday.

FORM GR-470-8 (10-2-72)

UNITED STATES DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE

GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782

·EXHIBIT C (Cotton)

OBJECTIVE DESCRIPTION OF VARIETY

INSTRUCTIONS: See Reverse.	COTTON (GUSSYPIUM SPP.)	
NAME OF APPLICANT(S)		FOR OFFICIAL USE ONLY
Delta & Pine Land Compar	1	- PYP° 77900102
ADDRESS (officer and not of KLY-Di Ivoi) Only, orace, an	a 211 (00db)	VARIETY NAME OR TEMPORARY DESIGNATION
Scott, Mississippi 38772	•	
		Deltapine 41
Place the appropriate number that describes the volume Place a zero in first box (e.g. 0 8 9 or 0 9		
1. SPECIES:		₹
1 = GOSSYPIUM HIRSUTUM 2 = GOS	SYPIUM BARBADENSE	
2. AREA(S) OF ADAPTION (0 = Not Tested, 1 = Not	Adapted, 2 = Adapted): Table I	O II - D IX
2 EASTERN 2 DELTA	2 CENTRAL 0	HIGH PLAINS 0 EL PASO AREA
2 WESTERN LOW HOT VALLEYS	2 SAN JOAQUIN	OTHER(Specify)
3. MATURITY (50%—Ореп-ВоЦ): (60%) Table	C 3	
I NO. OF DAYS EARLIER THAN	3) 1 = COKER 310	2 = DELTAPINE 16 3 = STONEVILLE 213
	4 = PAYMASTER 111	5 = ACALA 1517-70 6 = ACALA SJ-1
NO. OF DAYS LATER THAN	7 = LANKART 57 8	3 = OTHER (Specify)
4. PLANT HABIT:		1 = FOLIAGE SPARSE 2 = DENSE
2 1 = SPREADING 2 = INTERMEDIATE 3	= COMPACT 1	3 = OTHER (Specify)
5. PLANT HEIGHT: Table C 5		· · · · · · · · · · · · · · · · · · ·
2 CM. SHORTER THAN	8 l = coker 310 / 2 4 = PAYMASTER 111	2 = DELTAPINE 16 3 = STONEVILLE 213 5 = ACALA 1517-70 6 = ACALA SJ-1
CM. TALLER THAN	7 = LANKART 57 8	= отнев (Specify) Deltapine 55
6. MAIN STEM: T	able C 6	
3 1 = LAX 2 = ASCENDING 3 = ERECT	25 FRUITING BRANCH	6 NO. OF NODES TO FIRST FRUITING BRANC (from cotyledonary node)
7. LEAF: 8. LEAF PUBESCENSE:		ROUS (HAIRS AS SPARSE AS D2 SMOOTH)
I IWIDESI LEAVES (12.)	EAF (DELTAPINE SMOOTH LEAF) BESCENCE (H ₁ OR H ₂) 5 = OTHE	3 = PUBESCENT (STONEVILLE 213) ER (Specify)
9. LEAF COLOR:	BESOERGE (II) STORY	
1 = VIRESCENT YELLOW 2 = LIGHT G	REEN 3 = DARK GREEN (Acala-	442) 4 = RED
5 = OTHER (Specify)		
IO. LEAF TYPE:	.*	
1 1 = NORMAL 2 = OKRA 3 = SUPER	OKRA 4 = OTHER (Specify)	
11. FLOWER:		,
2 1 = NECTARILESS 2 = NECTARIED	G.	
Petals: 1 = CREAM 2 = YELLOW	1 Pollen: 1 = CREAM 2 =	YELLOW
12. FRUITING BRANCH TYPE:	· 	,
3 1 = CLUSTER 2 = SHORT 3 = NORMAL	2 1 = DETERMINATE 2 = IN	IDETERMINATE
13. GOSSYPOL CONDITION:	3 = NORMAL GLANDS: (]	1 = NORMAL BUD GOSSYPOL
3 1 = GLANDLESS 2 = REDUCED GLANDS 4 = OTHER (Specify)	3 - NORMAL GLARDS	2 = HIGH BUD GOSSYPOL
14. SEEDS: Table C 14	1 = SPARSE (GRI	EGG 35) 2 = MODERATE (DPL-16)
8 9 6 ± 4 SEED INDEX (Fuzzy seed basis)	<u></u>	LA SJ-1) 4 = OTHER (Specify)

FORM GR-470-8 (REVERSE)	and the second
1s. Bolls: Table C 15	Table B I Table C 15
$ \begin{array}{c ccccccccccccccccccccccccccccccccccc$	3 7 7 LINT PERCENT 2 9 MM. DIAMETER
Table D II 1 = NONE 2 = FINELY 3 = COURSELY Table D II 5 0 0 GRAMS SEED COTTO	Breadth: 1 = BROADER AT BASE 2 = BROADER AT MIDDLE
Type: 1 = STORMPROOF (WESTBURN 70) 2 = STORM RESISTANT (LANKART 57) 3 = OPEN (DELTAPINE 16)) = LENGTH < WIDTH 2 = LENGTH = WIDTH 3 = LENGTH > WIDTH
16. BRACTEOLES:	
Breadth: 1 = LENGTH < WIDTH 2 = LENGTH = WIDTH 3 = LENG	
Teeth: 1 = FINE 2 = COURSE	1 = 3-4 2 = 5-7 3 = 8-10 4 = OTHER (Specify)
17. YIELD: Compared to_ Table B I I	
PERCENT LESS THAN	1 = COKER 310 2 = DEL TAPINE 16 3 = STONEVILLE 213 4 = PAYMASTER 111 5 = ACALA 1517-70
	4 = PAYMASTER 111 5 = ACALA 1517-70 5 = ACALA SJ-1 7 = LANKART 57
18. FIBER LENGTH (Complete one or more of the following and give the med	na): Table B I
	LENGTH 2.5% U.H.M. LENGTH
MEAN LENGTH STAPL	LE LENGTH 32nd INCHES
UNIFORMITY RATIO (MEAN/U.H.M.) 4 4 UNIFO	RMITY INDEX (50% SPAN)2.5% SPAN)
19. FIBER STRENGTH AND ELONGATION:	All Marine and Compared to the All Anna Compared to the Compar
1,000 P.S.I. 6 5 ELONG	SATION E, STILLOMETER TO
4 1 0 MICRONAIRE READING	STRENGTH (Give test method) 2 4 5 STILOMETER T
20. DISEASE: (0 = Not Tested, 1 = Susceptible, 2 = Resistant) Table B I I Table D V	Charles D. 77
Table B 1 1 Table D V VERTICILLIUM 2 FUSARIUM WILT 2	Table D V ROOT KNOT NEMATODE Table D V BACTERIAL BLIGHT (Race 1)
0 BACTERIAL 0 ASCOCHYTA BLIGHT (Race 2)	g ROOT ROTE AND A SECOND ROOT ROOT ROOT ROOT ROOT ROOT ROOT ROO
0 ANTHRACNOSE 0 RUST	OTHER (Specify)
21. INSECT: (0 = Not Tested; 1 = Susceptible, 2 = Resistant)	acceptants.
1 BOLL WEEVIL 1 APHID	FLEAHOPPER 1 LEAFWORM
I FALL ARMYWORM I GRASSHOPPER	LYGUS 1 PINK BOLLWORM
1 STINKBUG 1 THRIP	CUTWORM 1 SPIDERMITE
OTHER (Specify)	
	the first of the control of the cont

REFERENCES: The following publications may be used as a reference aid for the standardization of terms and procedures for completing this form:

(1) Brown, Harry B., and J. O. Ware, 1958, Cotton, McGraw-Hill Book Company, Inc., New York.

(2) Lewis, C. F., and H. H. Ramey, Jr., 1971, 1970 Regional Cotton Variety Tests, ARS 34-130, United States Department of Agriculture.

COLORS: Nickerson's or any recognized color fan may be used to determine flower color of the described variety.